

REMARKS

Applicant respectfully requests reconsideration of this application as amended. Claims 1-2, 4-12, 15-26, 28-30 and 32-36 are currently pending in this application. Claims 1, 8, 12, 15-25, 28, and 33-34 have been amended, and claims 3, 13-14, 27 and 31 have been cancelled. Figs. 4 and 6 of the drawings have been corrected.

DRAWINGS

The Examiner is objecting to the drawings because they do not include the reference sign(s) for disk guide 341. Applicant has corrected Figs. 4 and 6 to show the reference sign(s) to disk guide 341 as provided in the annotated marked-up sheets filed herewith.

CLAIM REJECTIONS - 35 U.S.C. § 112, ¶2

The Examiner is rejecting Claims 9, 11, 19-21, 23 and 33-34 under 35 U.S.C. § 112, ¶2, as having various terms with insufficient antecedent basis. In response, Applicant has amended Claims 1, 19-21, 23 and 33-34 to correct the various terms having insufficient antecedent basis as required.

DOUBLE PATENTING AND CLAIM OBJECTIONS

The Examiner has advised that if Claims 13 and 30 are found allowable, Claims 14 and 31 will be objected to under 37 C.F.R. §1.75, as being substantial duplicates thereof. In response, Applicant has cancelled Claims 14 and 31. Because Claim 14 is cancelled, the objection to Claim 14 because of informalities is now moot.

CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 1, 2, 4-6, 12, 25-26, 29-32 and 36 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Zapalski et al., (U.S. Pat. App. 2004/0042623, hereinafter "Zapalski"). As recognized by the Examiner on page 8 of the Office Action, Zapalski fails to disclose or fairly suggest a cosmetic screen disposed between the functional bezel and the cosmetic bezel. Applicant has amended independent claims 1, 12 and 25 to include the element of a cosmetic screen disposed adjacent to the functional bezel and the cosmetic bezel and fixedly attached to one of the bezels. Therefore, Applicant respectfully submits that it would not have been possible for one of ordinary skill in the art to use Zapalski to produce the device of amended independent Claims 1, 12, and 25 and the rejection should be removed. Dependent claims 8, 21 and 34 also add the limitation that the cosmetic screen is disposed between the two bezels.

Dependent Claims 2, 4-6, 26, 29-30, 32 and 36 depend from amended independent Claims 1, 12, and 25, and thus inherit all of the limitations of the amended independent claims. Therefore, Applicant respectfully submits that dependent Claims 2, 4-6, 26, 29-30, 32 and 36 are in condition for allowance for at least the same reasons as given above for the amended independent Claims 1, 12 and 25.

Claims 3, 7-9, 11, 13-24, 27-28 and 33-34 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Zapalski in view of Kan-o (U.S. Patent No. 6,910,217, hereinafter "Kan-o"). Zapalski has previously been discussed above. With respect to Kan-o, Applicant respectfully submits that the patch 10 cited by the Examiner on page 9 of the Office Action is structurally different from the ramp feature of amended independent Claims 1, 12, and 25, and that the spherical convex portion 9 of patch 10 of

Kan-o is positioned in a different location from the ramp feature of amended independent Claims 1, 12, and 25.

Kan-o discloses a patch 10 having a spherical convex portion 9 (col. 5, ln. 34-39, 43-45, 49-52) attached such that the spherical convex portion 9 of the patch 10 slightly projects from the edge portion 3a of the discharge slot 3 of the panel 4 (col. 6, ln. 11-21 and as shown in Fig. 4). In contrast, the ramp feature of disk guide 341 of the present application as shown in Figs. 4 and 6 is a ramp having an inclined surface, not the convex spherical portion of Kan-o, and the disk guide 341 is rigidly coupled to the functional bezel, not the cosmetic bezel. Applicant has amended independent claims 1, 12 and 25 to include the element of a disk guide wherein the disk guide includes a ramp feature to point the optical disk into the optical drive during injection and to point the optical disk during ejection. Applicant respectfully submits that because the presently claimed disk guide having a ramp feature is structurally different and positioned in a different location from that shown in the cited art, it would not have been possible for one of ordinary skill in the art to combine Zapalski and Kan-o to produce the device of claims 1, 12 and 25 and the rejection should be removed. Dependent claims 8, 21 and 34 also further limit the ramp feature so that it points the disk down into the drive during injection and so that it points the disk up during ejection.

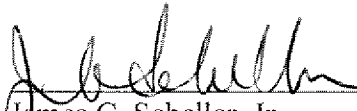
Dependent Claims 3, 7-9, 11, 13-24, 27-28 and 33-34 depend from amended independent Claims 1, 12, and 25, and thus inherit all of the limitations of the amended independent claims. Therefore, Applicant respectfully submits that dependent Claims 3, 7-9, 11, 13-24, 27-28 and 33-34 are in condition for allowance for at least the same reasons as given above for the amended independent Claims 1, 12 and 25.

Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned at (408) 720-8300.

Please charge any shortages and credit any overages to Deposit Account No. 02-2666. Any necessary extension of time for response not already requested is hereby requested. Please charge any corresponding fee to Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: March 23, 2009


James C. Scheller, Jr.
Reg. No. 31,195

1279 Oakmead Parkway
Sunnyvale, CA 94085
(408) 720-8300